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October 29, 2021

SENT VIA ECF

The Honorable Judge John P. Cronan
United States District Court
Southern District of New York
500 Pearl Street, Rm 1320
New York, NY 10007

**Re: United States v. Jose Cabrera
Criminal Docket No. 21-MJ-565 (JPC)**

Your Honorable Judge Cronan,

Lebedin Kofman LLP represents Mr. Cabrera in this matter and last appeared before your Honor on October 28th, 2021. Russ Kofman and Conor McNamara make this affirmation in furtherance of the record made at the status conference, respectfully requesting to be relieved as Counsel, pursuant to local rule 1.4. and that a Federal Defender be assigned to represent Mr. Cabrera.

On or about August 12th, 2021, Mr. Cabrera's family executed a retainer for our services to defend Mr. Cabrera and asserted they had the financial capabilities to make the payments as agreed.

After the initial payment Mr. Cabrera's family immediately defaulted on the payment arrangement and cannot make further payments of any fees. This has created a conflict in the attorney-client relationship, due to Mr. Cabrera's family immediately defaulting on the payment arrangement. We respectfully request to have Federal Defenders assigned to this case as Mr.

Cabrera is destitute and cannot hire a private attorney to represent him in his defense.

WHEREFORE, Lebedin Kofman LLP, attorneys for the Defendant Jose Cabrera, respectfully requests that an Order be entered, relieving our office as Counsel for Mr. Cabrera and that Federal Defenders be assigned to represent Mr. Cabrera in this matter.

*/s/ **Conor McNamara***

By: Conor McNamara, Esq.
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*/s/ **Russ Kofman***

By: Russ Kofman
Lebedin Kofman LLP

An appointment of counsel proceeding will occur in Magistrate's Court on Thursday, November 4, 2021 at 10 a.m. Mr. McNamara and Mr. Kofman shall remain counsel of record for the Defendant until new counsel is appointed.

SO ORDERED.

Date: November 1, 2021
New York, New York



JOHN P. CRONAN
United States District Judge